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May 15, 1975

Mr. Henry Jarrett, Plant Manager
L. E. Carpenter & Co.
Wharton, New Jersey 07885

Re: Violation of 40 CFR Part 112;
Reassessment of Civil Penalty

Dear Mr. Jarrett:

Our technical staff has completed a review of the SPCC Plan which you submitted for your Wharton, New Jersey facility. It was noted that your Plan fails to discuss the oil spill which occurred on January 30, 1975. In addition, spill potential (40 CFR 112.7(b)) was not analyzed, and no mention was made of whether the tank truck loading area is equipped with a warning system to prevent a truck from leaving the rack with a hose still attached.

We will shortly issue a Reassessment of Civil Penalty based on the Plan which you submitted. This Reassessment will set forth procedures for requesting a hearing, should you still desire one.

Pursuant to §308 of the Federal Water Pollution Control Act Amendments of 1972 you are required to inform this office, no later than May 27, 1975, of the manner in which L. E. Carpenter will dispose of the buried waste chemical drums located on its property.

Sincerely,

Henry Gluckstern
Attorney
Enforcement and Regional
Counsel Division

cc: Paul Elliot

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